

1 Jack P. Burden, Esq.  
Nevada State Bar No. 6918  
2 Xiao Wen Jin, Esq.  
Nevada State Bar No. 13901  
3 **BACKUS, CARRANZA & BURDEN**  
3050 South Durango Drive  
4 Las Vegas, NV 89117  
T: (702) 872-5555  
5 F: (702) 872-5545  
[jburden@backuslaw.com](mailto:jburden@backuslaw.com)  
6 [shirleyjin@backuslaw.com](mailto:shirleyjin@backuslaw.com)  
Attorneys for Defendant *Albertson's LLC*

7  
8 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

9 CYNTHIA GOODWYN,

10 Plaintiff,

11 vs.

12 ALBERTSON'S LLC,

13 Defendant.

**Case No. 2:18-cv-01754-JAD-EJY**

**STIPULATION AND ORDER TO**  
**EXTEND DISCOVERY DEADLINES**  
**(EIGHTH REQUEST)**

14  
15 In accordance with Local Rules of Practice for the United States District Court for the  
16 District of Nevada ("LR") 26-4, Defendant Albertson's LLC ("Defendant"), by and through its  
17 counsel of record, the law firm of BACKUS, CARRANZA & BURDEN, and Plaintiff Cynthia  
18 Goodwyn ("Plaintiff"), by and through her counsel of record, the law firm of SGRO & ROGER,  
19 hereby stipulate and agree to an extension of all remaining discovery deadlines by sixty (60)  
20 days. The parties propose the following revised discovery plan:

21 **DISCOVERY COMPLETED TO DATE**

22 The parties have exchanged initial and supplemental disclosures of documents and the  
23 names of individuals with knowledge of the facts pertaining to the claims set forth in this matter.  
24 The parties have propounded and responded to written discovery requests including  
25 interrogatories and requests for production. Defendant has subpoenaed Plaintiff's medical

1 records and taken Plaintiff's deposition. Plaintiff has taken the deposition of Defendant's FRCP  
2 30(b)(6) witness. The parties have made initial and rebuttal expert disclosures.

### 3 **DISCOVERY TO BE COMPLETED**

4 The parties intend to take the deposition of experts, Plaintiff's treating physicians and other  
5 percipient witnesses.

### 6 **REASONS FOR EXTENSION TO COMPETE DISCOVERY**

7 With Nevada now starting to loosen some of its Stay-At-Home restrictions, there has  
8 been an uptick in COVID-19 cases. On June 15, 2020, Governor Sisolak held a news conference  
9 where he announced that Nevada is "not ready to enter Phase 3 of reopening" due to the rising  
10 number of COVID-19 cases.<sup>1</sup> Thus, to combat the spread of COVID-19, counsel for the parties  
11 continue to practice social distancing to the extent possible which has and continues to  
12 significantly impact their ability to conduct discovery and meet the applicable deadlines. The  
13 parties however realize that expert depositions must go forward and will do so via Zoom  
14 technology. Moreover, the parties intend to participate in mediation and will briefly limit some  
15 discovery to avoid incurring additional fees and costs in the event that the mediation is successful.  
16 The parties therefore request for a 60-day extension of the remaining discovery deadlines. This  
17 request is made in good faith, not for the purpose of delay.

### 18 **PROPOSED NEW DISCOVERY DEADLINES**

#### 19 **Discovery Cutoff:**

20 **Currently:** August 3, 2020

21 **Proposed:** **October 2, 2020**

22  
23  
24 <sup>1</sup> The parties request that the Court take judicial notice of the news article by KTNV Las Vegas reporting that  
25 Governor Sisolak stated at a press conference on June 15, 2020 that "we are not ready to enter Phase 3 of reopening"  
and that "the number of new COVI-19 cases is in the middle of a 3-week upward trend." *See Lyon v. Gila River  
Indian Cmty.*, 626 F.3d 1059, 1075 (9th Cir. 2010) (internal quotation marks and citations omitted) (Courts may take  
judicial notice of facts whose existence is capable of accurate and ready determination by resort to sources whose  
accuracy cannot reasonably be questioned). A copy of the article is attached here to as **Exhibit A**.

**Dispositive Motions:**

Currently: September 4, 2020

**Proposed: November 3, 2020**

**Pretrial Order:**

Currently: October 5, 2020, or 30 days after resolution of dispositive motions  
per Local Rule 26-1(b)(5)

**Proposed: December 4, 2020, or 30 days after resolution of dispositive  
motions per Local Rule 26-1(b)(5)**

DATED: this 13<sup>th</sup> day of July, 2020.

DATED: this 13<sup>th</sup> day of July, 2020.

**SGRO & ROGER**

**BACKUS, CARRANZA & BURDEN**

By: /s/ Jennifer Arledge  
Anthony P. Sgro, Esq.  
Nevada Bar No. 3811  
Jennifer Arledge, Esq.  
Nevada Bar No. 8729  
720 S. Seventh Street, Third Floor  
Las Vegas, NV 89101  
*Attorneys for Plaintiff*  
*Cynthia Goodwyn*

By: /s/ Jack P. Burden  
Jack P. Burden, Esq.  
Nevada Bar No. 6918  
Xiao Wen Jin, Esq.  
Nevada Bar No. 13901  
3050 South Durango Drive  
Las Vegas, NV 89117  
*Attorneys for Defendant*  
*Albertson's LLC*

**ORDER**

Before the Court is the Stipulation and Order to Extend Discovery Deadlines (ECF No. 48). The Court grants the parties' stipulation; provided, however, the Court advises that depositions, to the extent possible should be taken by videoconference and, as such, no further extensions of time will be granted absent demonstration of efforts to complete specific discovery and explanation of why such discovery could not be completed.

  
UNITED STATES MAGISTRATE JUDGE

Dated: July 14, 2020